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# R E M A R K S

O N T H E

L A W S *relating to the* P O O R.

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# R E M A R K S

O N T H E

L A W S *relating to the* P O O R ;

W I T H

PROPOSALS for their better  
Relief and Employment.

By a Member of P A R L I A M E N T.

First Published in 1735 ; and now again submitted  
to Consideration.

W I T H

An APPENDIX, containing the Resolu-  
tions of the House of Commons, on the same Subject,  
in 1735 ; and the Substance of two BILLS since  
brought into Parliament.

To which is prefix'd,

A P R E F A C E, on the present Publication.

—————*Si quid novisti rectius istis,*  
*Candidus imperti.*—————

H O R.

L O N D O N :

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# P R E F A C E.

*THE following Remarks were first Published in 1735. The Author of them then was, and still continues a Member of the House of Commons. He now again submits them to the Consideration of the Public; and without the least Alteration, having seen no reason since to vary his Opinion; and he hopes they may be of some Use in the present Conjuncture, which seems more favourable to a Scheme, which then failed of Success. When they first appeared, they gained so much Attention, as to give Birth to the Resolutions which are in the Appendix; and to a Bill in Consequence of them, the Substance of which is likewise there inserted.*

*The Resolutions were at that Time received with Universal Applause: But the Bill could not be presented till the next Session.*

*The Gentlemen, who were ordered to bring it in, bestowed much Time and Labour in preparing it: But in some Parts of it complied more with the Prejudices of others, than their own Opinion: for the Qualification of the Guardians was too low; and the Choice of them (to avoid Partiality) was left to blind Chance. They were too much connected with the Justices of Peace;*

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*and too much under their Controul. And some of the old Leaven of Settlements and distinct Parochial Interest still remained for want of an equal County Rate.*

*When it was presented, they found much of that Zeal abated, which had appeared in the House when it came into the Resolutions. If some few Difficulties occurred, which were real; many more were started which were only imaginary. Those who had depopulated their Parishes, and were grown easy in their Poor's Rate, were alarmed for fear such a Law might end in an equal Rate throughout the County. So that Private and Parochial Interest, which is ever vigilant and active, gained Ground against that which was Publick, which is generally too careless and indolent. The leading Men in the House, best able to promote such a Design, were taken up with State Affairs, and little regarded it: And, perhaps, in general disliked any thing that carried the Appearance of an Innovation. The Bill was put off from Time to Time, till it was too late to pass; tho' it was suffered to go through the Committee, and was printed with the Amendments, and sent into the Country for further Consideration.*

*The next Year the same Gentlemen were again ordered to bring in a Bill or Bills to the  
same*

*same purpose, and had the Honour to have the Master of the Rolls (Sir J. Jekyll) Mr. Oglethorpe, and Mr. Winnington to be nominated with them. The first of those Gentlemen, who had declared himself a Friend to the Bill from the Beginning, began to be stagger'd with the Objections made to particular Parts of it : And apprehending it might be difficult to pass the whole, advised the Gentleman who presented it the Year before, to divide it into two Bills, by cutting off the Part relating to Vagrants from the rest. That Gentleman submitted to Authority, contrary to his own Sentiments ; and complied with a Proposal, which not only created Trouble to him and his two Fellow-labourers of the preceding Year, in new-moulding those Bills ; but which extremely maimed and disfigured their first general Plan.*

*Two Bills were accordingly brought in ; the One for Punishing Rogues and Vagabonds, the Other for the better Relief and Employment of the Poor.*

*The first was thought not complete, because every part relating to Passing of the \* Vagrant,*  
*was*

\* N. B. The Passing of Vagrants is a great Trouble and Expence to no Purpose. It would be better to keep them employed in the Counties where they are found,  
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*was (and certainly it was best) left out. That Part was added to the Bill in succeeding Years ; which after variety of Attempts and Corrections has twice since passed into a Law. The Effects of the present Law are well known ; and Mr. Fielding, in his late valuable Treatise, has pointed out its Defects.*

*As to the Bill relating to the Poor ; the Gentlemen who prepared it endeavoured to clear it from some Objections, which were made to the Bill of the preceding Year : and in so doing deviated still farther from their original Intention. For each County was to be divided into small Districts, of not more than ten, and not fewer than three Parishes : And a Guardian was to be annually elected by the Vestry of each Parish ; whose Qualification was to be 20l. per Annum at least, if such could be found. This Bill was presented by the Gentleman, who pre-*  
*sented*

till they could be properly disposed of. The present Law intended the Houses of Correction to be Work-houses ; where Criminals might be kept to some useful Labour, and acquire a Habit of Industry. And ample Powers are given to the Justices of Peace to fit them up, and furnish them for that Purpose. Those Powers are not executed. So that the Criminal, for want of Employment, and by being suffered to herd together, come out more dissolute than they went in. Would it not be better to put the Management of these Houses under the Guardians of the Poor, and make it Part of the general Plan ?

*presented the Bill of the last Year ; and he is not sorry that it met with the same Fate.*

*Finding all his Endeavours ineffectual, he was discouraged for some Years from any new Attempt ; but still had the Subject warmly at Heart. Three Years ago his Thoughts suggested to him another Expedient, which he hoped might do good, and which he was sure could do no harm. He presented a Bill to the House for the better Relief of the Poor by Voluntary Charities ; which is also to be seen in the Appendix. The Substance of it is no more than this : That Persons the most eminent for Quality, Dignity, Office and Estate, in each County, (together with Benefactors) should be Guardians of the Poor, to receive all Charities for their Use, and to employ them at discretion.*

*This Proposal had these Advantages. The most Honourable Persons were to execute the most Honourable Employment. They were a permanent Body, marked out by Character, which saved any Trouble or Partiality of Nomination or Election. They were above Temptation, and even above Suspicion. They were subject to no other Jurisdiction ; answerable to themselves alone ; and by being laid under no Restraint or Obligation, were laid under the greatest, that of Honour and of Conscience. No particular*  
*Rules*

*Rules were prescribed to them in the Law itself ; which often are a Clog and Impediment in the Execution of a Law ; they cannot suit all Times and Places ; and maybe very improper on future Contingencies, which no Man can foresee : But such Regulations were to be made and varied from time to time by themselves ; by which they might be better adapted to the particular Time, Place and Occasion. The Bill did not meddle with any Law now in Being ; nor make the least Alteration in any one Thing at present established : Nor did it lay any Man under any future Obligation, but left his Actions as free as they were before. If it had not succeeded, it would have been at least a harmless Law ; if it had, it might have proved the Instrument of a great and general Good.*

*The Bill passed the Commons without Opposition, and the Gentleman was ordered to carry it to the Lords, where it was dropped ; for what reason he knows not. He is almost convinced, that if all the present Laws relating to the Poor were abolished, and such a Law were to subsist alone, it would be an adequate Provision ; and that in no long space of Time, a Rate for the Poor would be as unnecessary, as it was before the Reformation. For there is that inexhaustible Fund of Benevolence in the Hearts of Men (and especially of Englishmen) that would never  
leave*

leave their Fellow-creatures destitute, were Charitable Persons morally, sure that their Benefactions would be wisely and honestly applied; and from whom can a wise and honest Conduct be expected, if not from the Persons appointed Guardians by that Bill?

But if it be thought too hazardous to trust the Poor to the Chance of Voluntary Charities only; the same Guardians (for no better can be) might be enabled to raise what more should be necessary by a County Rate; and might be invested with all the other Powers in the first Bill. And thus by blending both Bills together, a better Law might be formed, than any that has yet appeared.

It is certain, that the Obligation on each Parish to maintain its own Poor, and, in consequence of that a distinct Interest, are the Roots from which every Evil relating to the Poor hath sprung; and which must ever grow up, till they are eradicated. Every Parish is in a State of expensive War with all the rest of the Nation; regards the Poor of all other Places as Aliens; and cares not what becomes of them if it can but banish them from its own Society. No Good therefore is ever to be expected, till Parochial Interest and Settlements are destroyed; till the Poor are taken out of the Hands of the Overseers,

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*and put under the Management of Persons wiser and more disinterested; and till they be set to work on a National, or at least a Provincial Fund, to arise from Benefactions and the Labour of the Poor, as far as they will go; and what more is wanting to be levied by an EQUAL Tax.*

*The Rate must be EQUAL throughout a County, or else the Cure will not be complete. Any other Rule of Proportion will prove unjust or inconvenient. If the present Rates on Parishes (or an Average of a certain Number of Years past) be established as a future Rule of Proportion between them; as the State of the Poor is ever fluctuating, it will soon become unequal, and destroy even that narrow Rule of Justice it intended to fix. If each Parish is charged (as in the first Bill) according to the Number of Persons sent from Time to Time from thence to the Work-house; there will be one of these two Inconveniencies: 1. If any Right of Settlement is suffered to remain; there must of Consequence be an Examination into that Right; which will be attended with Trouble in itself, and with Confusion in the Accounts. 2. If no Right of Settlement is allowed, but the Person is charged to the Parish where he happens to want Relief;*

*may*



*many Frauds will still be carried on between Parishes, and many Oppressions practised on the Poor to drive them from Place to Place. Whereas an Equal Rate throughout a County would be a permanent Rule of Justice ; that by One common Interest would establish Harmony, and remove every Temptation to Injury, Fraud, and Oppression. We should no longer see poor Persons avoided as the most noxious Animals on the Globe : Some dying for Want, because no Parish will own them ; others in their own Parishes, purely to save Charges ; Overseers at a foolish Expence, carrying whole Families from Places where they could live, to be imprisoned for Life in others, where they can find no Employment. We should no longer see the sturdy Beggar insulting, and the impotent One perishing in the Streets, or convey'd thro' the Kingdom at a publick Expence, and giving Trouble to every Magistrate in his Way, to no Manner of purpose. Examinations, Passes, Duplicates, Certificates, Orders, Appeals, and a thousand other idle Trumperies, would be dispersed like the Sybil's Leaves, and blown away like the Chaff before the Wind.*

*The Author of the Remarks cannot but congratulate his Country, that this Affair is again under the Consideration of Parliament ; and that it is conducted by Gentlemen, whose superior Talents*

*lents and publick Spirit qualify them for so great a Work. It is with pleasure he observes a more general and generous Way of Thinking on this Subject prevail more and more ; and that there seems an Unanimity (which is in all Cases to be wished) to adopt some Scheme, like what he formerly proposed. From these auspicious Circumstances, he hopes, that the Time is now come, when the Poor will be put under a better Regulation ; a thing absolutely necessary, and ardently desired by the whole Nation. He will always be ready to contribute his Mite. And let his Inclination to promote so good a Design, plead his Excuse for laying his past and present Thoughts, imperfect as they are, before the World.*




REMARKS



# R E M A R K S

O N T H E

*L A W S relating to the P O O R.*

 H E R E is a Complaint of the little Care that is taken of the Poor of this Kingdom, and of the manifold Inconveniencies arising to the Publick from it. This Complaint is become universal ; nor is it without Foundation. The Evil is such as every good Man wishes redressed ; and which calls aloud for the Animadversion of the Legislature. When a Stranger beholds Numbers of poor People begging in our Streets, and wandering through the Country, he would be apt to conclude, that there were no Laws either for their Relief or Employment ; but when he is  
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informed of those Laws, and of the immense Sums constantly raised for those Purposes, he will be still more surpris'd at those miserable Objects. The Consequence to be drawn from this Fact is, either that the Laws themselves are deficient, or, that there is some Defect in the Execution of them. I shall examine both these Particulars, and then propose some Remedy for Reformation of so great an Evil.

By the Law now in being, every poor Man is supposed to have some Settlement. A Place to which he may at all Times resort from which he cannot be removed; and from which he cannot legally remove himself without a Certificate: A Place to which he may be sent, if he is chargeable any where else, or likely to become so. This Settlement is supposed to be in some Parish; and in every Parish, Officers are annually appointed, who are invested with Power to levy a Tax within the Parish, to relieve the Poor that are impotent, and to set the rest to work that are able to labour; and, if they are not willing they may be compelled to work in the House of Correction.

How admirably, at first View, do these Laws seem contrived; but upon a Scrutiny I think some Defects may be pointed out  
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which prevent the desirable End for which they were ordained.

It is certainly a wise Institution, that there should be a certain Place, in which every Man may employ his honest Industry ; and where, when that fails to support him, he may at last be secured from the evil Accidents of Life. But this is far from being every poor Man's Case ; for there are some (notwithstanding the Supposition of the Law) that have no Place of Settlement : Such are Persons born beyond Sea ; or of Vagrant Parents who had none themselves, and who know not the Place of their Birth : These may be looked on as the Outcasts of Mankind ; who, as the Law now stands, are doomed to Beggary, both they and their Posterity ; for as no Place is obliged, so none is willing to receive them. Indeed the Law orders, where no Settlement can be discovered, that they should be sent where they were last found begging or misordering themselves, and passed unapprehended : And this was very well intended, both as it was to provide them a certain Settlement in some Parish, and as it was to excite the Diligence of every Parish, in which they begged or misordered themselves, to apprehend them ; since, if they did not, it might fall to their Share to have them for Inhabitants. But

Experience shews us there is no Danger in that ; since all Parishes are equally remiss in apprehending them : And it is no wonder that they are so ; for to whom is this Care committed ? The Constable, if required, is obliged, under a Penalty, to apprehend them ; or any body else that pleases may undertake it. But who is willing to neglect his own Business to undertake such an Employment ? And for so small a Reward as two Shillings ? An Employment of so much Trouble to himself, and which will probably create much more to his Neighbours : And, indeed, if a Man was to spend his whole Life in apprehending Vagrants, we could expect but small Fruits of his Labour, if we consider how the Law directs them to be dealt with after they are apprehended.

As the Law now stands : A Vagrant that is apprehended, (after he has either been whipped, or sent to the House of Correction) if he has gained no Settlement, is to be sent to the Place of his Birth ; or, if he is under fourteen Years of Age, to the Abode of his Parents, if they are living ; Or, if these Places cannot be discovered, then to the Place where he was last found begging or misordering himself, and passed unapprehended ; and he is to be sent to these Places by a Constable, with a Pass from a Justice of the Peace.

Peace. I think every considering Person will soon perceive the Difficulties that occur in the Execution of this Law.

First of all : It is next to impossible to be assured of the Truth of the Vagrant's Information : And as that is the Ground-work of the whole Proceedings, if it should prove false, every thing done upon it is built on a wrong Foundation : There is a Penalty indeed to be inflicted on the Vagrant, if he is detected of Falsity : But how is that Falsity to be detected ? Suppose, for Example, he should say, that he was born beyond Sea, or in some remote Corner of the Kingdom ; are you to send thither to be informed of the Truth ? And unless you do, I don't see how you can be assured of it.

But suppose the Vagrant gives a true Account, how will he be certainly conveyed to the Place of his Settlement ? By the Law, the Constable is to carry him to the first Town in the next County, and deliver him to the Constable there, who is to have him before a neighbouring Justice, and he is to take Care that he is corrected, and sent on to the next County ; and so on from County to County : Now suppose a Vagrant is apprehended in *London*, and the Place of his Birth, or Abode of his Parents, is in *Northumberland*, he must  
pass

pass through many Counties; and is it certain, that every Justice and Constable concerned in each County will do his Duty? And yet if any one of them fail in it, he can never arrive at his Journey's End: Or suppose that he should, beyond all Expectation, arrive there, will the Parish to which he is sent be glad of his Company? Or can any one think they will not suffer him to return to his former Way of Life? For what is the Penalty if they do? It is only paying the Charge of his being again apprehended and passed, which will probably never be demanded of them.

Let us now consider the Case of a Vagrant who has obtained a legal Settlement, and the Direction of the Statute in that Case. The Statute directs, that he should be sent thither by such Order, and in such Manner, as other Persons likely to be chargeable to the Parish are to be sent; which is by an Order of two Justices to the Churchwardens and Overseers to convey them. This is, perhaps, a surer Way of sending the Vagrant home, than the other by a Pass; but it imposes a greater Burthen on the Persons that are to convey him; and, in many Cases, it is insupportable: For suppose again, that the Vagrant is apprehended in *London*, and his Settlement is in *Northumberland*, it is a longer Journey  
than



than any Parish-Officer would willingly undertake : And, perhaps, when he returns, another Vagrant may be apprehended, whose Settlement is in *Cornwall*, and another Journey prepared for him to the Land's End. And I believe I may venture to affirm, that the Expence of such a Journey would amount to as much as would provide for the Vagrant, and place him in some honest Calling.

I believe what I have said may in a great measure excuse the Negligence of the Justices of Peace in ordering Privy-Searches to be made for Vagrants, according to the Direction of the Statute ; for the End proposed in apprehending them is the sending them to their own Homes : But since, as I have shewn, that is impracticable, it can be of no Use to apprehend them. In short, this Statute, which was intended to supply the Defects of all former Statutes relating to Vagrants, and to provide a full Remedy for the Evil, is very ill calculated for that Purpose. It is an *Utopian* Scheme, unworthy of the Wisdom of the Legislature ; good, perhaps, in Theory, but, in the Nature and Circumstances of human Affairs, impossible to be put in Execution.

From the Case of the Vagrant, I pass to that of such poor Persons as are known in  
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the Places where they dwell ; and shall consider the Laws with relation to their Settlement, Relief, and Employment.

Persons who have gained no Settlement themselves, are to be placed where their Father was last legally settled ; and if that cannot be discovered, then in the Parish where they were born. But by the Statutes now in Force, they may gain a Settlement these several Ways : By forty Days Inhabitaney in a Parish, with Notice ; or, as a hired Servant by the Year ; or, as an Apprentice by Indenture ; by paying of Parish Taxes ; or, serving an annual Office in it ; by hiring a Tenement of 10 *l.* a Year, or purchasing one of 30 *l.* or upwards. And where-ever a poor Man's Settlement is, there he is obliged to inhabit ; And if he is likely to become chargeable any where else (as every poor Person may be adjudged to be) thither he is to be sent.

I shall now examine whether these Laws are equitable ; and whether they are convenient.

It has been the Opinion of many Authors, that this confining of Men to certain Habitations is a sort of Imprisonment ; which is the more grievous, because it is not for any Fault,

Fault, but for a Misfortune in being poor : Especially, when so little Care is taken to employ the Poor. And indeed it seems to me, that every Man has a natural Right to reside in any Place where he can best provide for himself and Family in some honest Calling ; and it is unreasonable to molest him, and abridge him of his Liberty (the chief Comfort of a poor Man) on a Suggestion or Apprehension of his being likely to become chargeable. By the Certificate Act his Liberty is enlarged, and he may reside with a Certificate in any other Parish, and is not removable till he is actually chargeable : But this Law is defective, because it leaves it in the Breast of the Parish Officers, whether they will grant a poor Person a Certificate or no : Whereas they ought to be compellable to do it ; or, which would be much better, every poor Person should be put on the Foot of a Certificate-Man, and not be removable till he is actually chargeable ; and it might be added too, that after continuing so long in a Place without being chargeable, that then he should be deemed a legal Inhabitant. This may be a good Alteration, if the Legislature think not proper to make any greater.

So much for the Justice of these Laws of Settlement : Let us now consider, whether they are convenient : Which scarce any one

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can think, because of the Trouble they create to the Magistrate, and the Burthen they impose on the Parishes, and the poor Persons concerned.

As to the first Particular, I need only appeal to the Experience of Gentlemen who serve their Country in the Commission of the Peace, whether they are not more employed in this Article of their Authority, than any other, I had almost said, than all the others besides: And it is notorious, that half the Business of every Quarter-Sessions consists in deciding Appeals on Orders of Removal. It may seem strange, than any Doubt should remain on this Subject, after so many Cases have been resolved in the *King's-Bench*; but let any one consider, how little those Resolutions are known to the Generality of Country Gentlemen; and when known, sometimes how little they are regarded; let him consider too the Variety of new Cases that must always arise on such a Number of Statutes, from Difference of Circumstances; add to this the Carelessness there often is in examining the Facts, and he will not be surprised that there are perpetual Controversies on these Laws, but must be assured there always will be, as long as these Laws subsist.

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The Consequence of these Disputes to the Parishes concerned, is a great deal of Trouble to their Officers, first in conveying the Persons removed to the Places of their Settlement, oftentimes at a great Distance; and afterwards in attending with Evidence on the Appeal; which does not always end at the Sessions, but is sometimes removed into *Westminster-Hall*; and, perhaps, at last the Order is quashed: So that it sometimes happens to cost a Parish as much to remove a poor Family, as it would do to maintain them.

But the most melancholy Consideration is the Oppression to the poor Persons themselves. A poor Man is no sooner got into a Neighbourhood, Habitation, and Employment that he likes, but upon Humour or Caprice of the Parish, he is sent to another Place, where he can find none of these Conveniencies: Not certain long to continue there; for, perhaps, after the Appeal, he is sent back again, and then hurried to a third Place; and sometimes is a great while before he knows where he shall be at rest. In the mean time, he is at Expence in removing his Family and Goods; or, perhaps, not able to carry them with him, is forced to sell them to a Disadvantage: He loses his Time,

and is obliged to neglect his Work, which is his only Support. So that 'tis no Wonder if by this Treatment he is very much impoverished; and from being only likely to become chargeable, is made actually so.

Let us now take a View of the Poor at the Place of their Settlement; and see, if they are impotent, how they are relieved; and if they want Work, how they are employed.

The Overseers are to raise Taxes for their Relief, and the Majority of the Parishioners are to nominate the Persons who are to be relieved, and in what manner: And if any Person is refused Relief that wants it, he may complain to a Justice of Peace, who may order it. As this Relief is to come out of the Pockets of the Parishioners, it is not their Interest to be over-liberal; and they esteem him the best Officer, who keeps the Parish-Rates lowest, let the Poor be never so much oppressed. So that they are often lodged in such Houses as will not defend them from the Weather; cloathed in Rags, that will not cover their Nakedness; want Fuel to keep them warm, and proper Food to sustain Nature; so that many turn Beggars and Thieves out of Necessity. And this may be one great Cause that they so abound.

Another

Another Cause is, that many poor Persons who are willing to work, want Employment in their own Parishes : This forces them to seek it in other Places ; where, being unknown, they are not employed ; so that at last they are compelled to beg, or fall into Courses they would otherwise abhor. The Overseers have indeed Authority to raise a Stock to set them to work, but this has been generally, nay almost universally neglected : For which the Lord Chief Justice *Hale* assigns these Reasons ; 1. Because the Generality of People are unwilling to exceed the present necessary Charge, though their future Payments would be lessened by it ; little considering the Inconvenience will in time grow to themselves, by neglecting to raise a Stock, and the Benefit that would soon accrue to them by doing it. 2. Because Tradesmen, not enduring their personal Estates should be charged, throw the whole Load on the Rents of Lands and Houses, which alone are not sufficient to raise a Stock. 3. Because the Overseers being Parishioners are unwilling to charge themselves, or displease their Neighbours. He might have added too, that if they were willing, they generally know not what Stock is necessary, nor in what Manner to employ the Poor, nor to give the proper Directions in it ; nor can they spare Time  
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from their own Concerns to superintend such a Work. The same great and good Man observes too these Defects in the Law ; 1. There is no Power to compel the Overseers to raise a Stock if they neglect it. 2. The Act charges each Parish a-part ; whereas it might be more effectual if four or five, or more, contiguous Parishes did contribute to the raising a Stock. 3. There is no Power of hiring or erecting Work-houses. The two last Powers have been given to Parishes since he wrote ; and where they have been made Use of, the Poor's Rates have abated, and the Poor have been better provided for : But this has been chiefly in large and rich Places, for the lesser Parishes are never like to agree together. So the Remedy is far from being complete ; but it points out the Way to one that may be so.

I have now gone through my Remarks on the principal Laws relating to the Poor. The Statutes of Vagrancy and Settlement, I have considered more particularly than any one (that I know of) has done before. These are preparatory only to the Provision for the Poor, by sending them to their own Homes, where they should be provided for. The Vagrant Act can never be put in Execution, and consequently leaves the Poor in the same State that it found them. The Laws  
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of Settlement are too frequently executed, and at great Trouble and Expence. They are a Vexation to the Poor, and bring no Advantage to the Publick; for unless more Care were taken of the Poor in their own Parishes, they may as well be left in any other Place; for to what Purpose is it to change their Situation, unless you improve their Condition? but these Laws are so far from doing it, that they generally render it worse, and obstruct instead of promoting their Employment.

As to the Laws relating to the Relief and Employment of the Poor, I can only repeat what the Lord Chief Justice *Hale*, and Sir *Josiah Child*, have said on that Subject, whose Treatises deserve to be often read and considered by every Well-wisher to his Country. Those Laws were never well executed, in any Age, or by any Set of Men, since they were made; and the last mentioned Author says, we must never expect to see them better executed; for that Failure is not to be imputed to the Persons who are to execute them, but to a Defect in the Laws themselves; for he says, there never was a good Law made but what was well executed. He observes one Defect, which he thinks fundamental, and that the Poor of *England* can never be well provided  
for

for until it be altered ; which is, the leaving it to the Care of every Parish to maintain their own Poor only : For this makes the Parishioners concerned only for their own Interest, and always endeavouring to shift off the present Burthen ; and if they can but send or whip the Poor out of their Parish, they care not what becomes of them.

The 43 *Eliz.* cap. 2. is the first Law that was made for Relief of the Poor ; and (as the Lord Chief Justice observes) is the only one that provides universally. The impotent Poor are indeed maintained out of the Rates levied by Virtue of that Act ; though not in such a manner as they who regard the Welfare of their Fellow-Creatures could wish. But the Employment of the Poor, which was likewise ordered and intended, is almost entirely neglected ; and how it comes to be so, I have before shewn in the Passages I have borrowed from him. And although (as he says) the Relief of the impotent Poor seems to be a Charity of more immediate Exigence, yet the Employment of the poor is a Charity of greater Extent ; and of very great and important Consequence to the Benefit of the Poor, and to the publick Peace and Wealth of the Kingdom. Which Words deserve to be more particularly insisted upon and explained

It is a Charity of a greater Extent, because it comprehends a greater Number of People ; for there are more poor Persons capable of Employment, than such as are impotent and cannot work. It is likewise a Charity of greater Extent, with regard to each Individual ; for it is a greater Kindness to put a Man in a Way of getting his Bread as long as he lives, than to give him an occasional Alms to relieve his present Necessity. It is a Charity not confined to one Generation, but extends itself to the Posterity of the Persons employed ; who will receive as much Benefit as their Parents, since the Parents will be enabled to give them a better Education, and set before them a better Example. Lastly, It is a Charity, not confined to this World only, but extends to Soul as well as Body, to Mens future as well as present Happiness. Idleness is the Nurse of Vice, and Necessity the worst of Counsellors ; by which many poor Wretches are seduced, and brought under the Sentence of the Law, whose Fate would have been prevented by Employment : And (as the chief Justice says) the Prudence of Prevention is not only more Christian, but also more effectual than Punishment ; for though (as he observes) we have Laws against Theft more severe than most

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other Nations, and than the Crime, simply considered in itself, deserves ; yet the Severity of the Laws is a weak Defence, the Gaols are never the emptier ; and we have more Persons suffer in one Sessions at *Newgate* for Larcenies, than in some other Countries for all Offences in three Years. And sure the Nation has much to answer for on their Account. By our Neglect we are, in some Measure, accessory to their Offences, and even more criminal than they are ; for by their Punishment they make some Atonement for their Crimes ; but we are answerable both for their Crimes, and for their Punishment.

I have enumerated some of the many Advantages the Poor would gain by Employment ; nor are they fewer that would accrue to the Publick. The Consequence of it to the Peace and Security of the Nation, in freeing it from many necessitous Persons, who turn House-breakers and Robbers, is too obvious to be insisted on. I shall therefore confine myself to the Consideration of the Importance of it to the Wealth of the Kingdom. That, if Humanity to our own Species is too weak a Motive to influence us ; we may at least be prevailed on, by a Sense of our worldly Interest, to promote so good and necessary a Work.

In order to shew this, I shall first examine in general, from what Source the Wealth of any Nation must originally flow ; and on a strict Enquiry, I am persuaded, that it is from the Number of its Inhabitants ; and that the more populous a Country is, the richer it is, or at least may be. For this I have Sir *Josiah*'s Authority, who asserts, that the Resort of Poor to any Place, if well managed, is the Conflux of Riches to it ; and therefore the *Dutch* receive all, without enquiring what Nation, much less what Parish they are of. He does not there give the Reasons of his Assertion, because, I suppose, he thought it sufficiently confirmed by Experience : But I shall endeavour to do it, and I think the Proposition as capable of Demonstration, as any Mathematical Problem. For by Numbers of People Labour must necessarily increase, since they must labour to support themselves, and Labour is the great Principle of all Riches. The first Object on which Men employ their Labour, is the Land which they inhabit : This, by their Labour, is rendered useful, which would be of little Use without it ; and as Land is any where improved, the Value of it will rise in that Place, and Trade will attend it : For as the Earth is our common Parent, it is from her we receive every good thing ; all the

Necessaries, all the Conveniencies, and all the Ornaments of Life : But we do not live in the golden Age, or in Paradise, where she dealt out these things spontaneously, but we must obtain them of her by our own Labour and Industry. The natural Products of the Earth are not sufficient to subsist Mankind in any comfortable State ; and even these we cannot get into our Possession without Labour ; and when we have got them, they are but the rude Materials, and it requires still more Labour to prepare and fit them for human Use. Now it falls out in the natural Course of things, that whilst Men are employed in searching after the Necessaries of Life, they find Riches : For the Earth is grateful, and repays their Labour, not only with Enough, but with Abundance ; and out of the Plenty of these Materials, Plenty of Things are formed to supply the Wants of Mankind. Now the more of these Things any Nation has, the more comfortably the People live ; and whatever they have of them more than they consume, the Surplus is the Riches of that Nation, I mean, the intrinsic Riches of it. This Surplus is sent to other Nations, (which likewise requires Labour) and is there exchanged or sold ; and this is the Trade of a Nation. If the Nation, to which it is sent, cannot give Goods in Exchange to the same Value, they must

must pay for the Remainder in Money, which is the Balance of Trade; and the Nation that hath that Balance in their Favour, must increase in Wealth; for this is the only Way to bring Money into any Nation, that has no natural Fund of it in Mines in its own Bowels; and the only Way to keep it in any Nation that has. Since therefore it is incontestable, that Money is introduced into a Nation by Trade only, and that Trade is chiefly supported by its Manufactures and Product, that these are increased by Labour, and Labour by People, it manifestly follows, that Numbers of People are the Cause of Wealth in a Nation; and to expect either Trade or Riches without them (to use the Phrase of an anonymous Author, published in 1677, who on this and other Subjects of publick Concern, shews himself no common Writer) is to be more unreasonable than *Egyptian* Task-masters; it is to expect Bricks, not only without Straw, but without Hands too. The same Author affirms, that the Value of the Labour of the People is more than the Rent of all the Lands, and the Profits of all the personal Estates of the Kingdom; which he proves thus: He computes the People of *England* and *Wales* at Six Millions, and the annual Expence of each Head at twenty Nobles; which amounts to forty Millions Sterling; the Rents of the Lands

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he computes at eight Millions, and the yearly Profit of the personal Estates at eight more ; which sixteen Millions being taken out of the forty yearly Expence, there will remain twenty four Millions to be supplied out of the Labour of the People : Whence follows, that each Person, Man, Woman, and Child, must earn four Pounds a Year, and an adult labouring Person double that Sum ; because a third Part are Children, and earn nothing ; and a sixth Part, by reason of their Condition, are exempted from Labour ; so that not above half the People, working, they must gain one with another eight Pounds a Piece ; and at twenty Years Purchase, the whole People one with another, will be worth eighty Pounds a Head, and an adult labouring Person double ; for, though an Individuum of Mankind be reckoned but about eight Years Purchase, the Species is as valuable as Land, being, in its own Nature, perhaps, as durable and as improveable. These are that Author's Reasonings, and almost his Words : And if it be objected, that he has set the Rents of the Lands too low, as it since appears by the Land-Tax that he has ; (since by that Tax they are rated at near ten Millions, which must be esteemed a low Valuation) I believe it will be allowed too on the other Hand, that he has underrated the Number of the People : And if his  
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Calculations are not perfectly exact, yet they are sufficient to support the Conclusion he aims at ; which is, to shew the Advantage a Country gains by being fully peopled, and how much it ought to be the Care and Study of a Government to fill it with People : And I think he might have carried the Argument farther ; for it seems to me, that the Rents of Lands, and Profits of personal Estates, (whatever they are) must come out of the Labour of the People, as well as his other twenty-four Millions ; and if so, then (still to follow his Computation) the yearly Value of a Man's Labour, instead of eight Pounds, will be thirteen Pounds six Shillings and eight Pence.

I will now apply this Digression to my Subject. If it must be allowed, that increasing our People would be an Addition to our Wealth, then it will follow, that employing our Poor will be so too. For the setting so many Hands to work, which are at present idle, would be the same thing as introducing so many new industrious Inhabitants into the Nation ; which would be a manifest Gain to it. How much this Gain would amount to, I am not skilled enough in political Arithmetick to determine, for it depends on the Number of People unemployed. Mr. *Vauban*, who is very curious  
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in Calculations of this kind, computes the People of *France* at nineteen Millions ; and therefore comparing the Extent of *England* and *Wales* with that of *France*, I imagine their Inhabitants to be about seven Millions ; for I think they exceed a third of *France*, but fall short of two Fifths of it. Of these seven Millions, I will suppose a hundred thousand unemployed, capable of Labour, and whose Condition does not exempt them from it. This is but One in Seventy, which may not be too large a Computation, including in an Average all Vagrants who have no Employment, and all the rest of the Poor, who are not fully employed. The Labour of these People, if employed, would, by the Rule above-mentioned, amount to above thirteen hundred thousand Pounds, which would be so much yearly Addition to the publick Stock : And a Million, which I believe is yearly raised in Taxes, and given in Alms for their Support, and brings in no Profit, might then be employed in the Trade and Business of the Nation. But in the present Posture of Affairs, these People, who might be so beneficial, are a Loss, and the Nation were better without them ; for whilst their Hands are idle, their Bellies must be supplied ; and, like Drones, they live on the Hive, but bring nothing into it ; and as their Number daily increases, the Evil will be more sensibly

sibly felt, and prey still deeper into the Wealth, which is the Sinews, of a Nation.

Many, perhaps, will find fault with my Computations, but I believe few will do so with the Substance of my Arguments. And I dare say, that there is not a Man in the Kingdom of the least Charity or publick Spirit, but wishes the Poor were put into a Capacity of eating their own Bread, and of being more useful to their Country. And let no Man conclude, because this has been long neglected, that therefore it is impossible to be effected : Experience shews us it is not : since it is done in *Holland*, and several other Countries : And (as the Lord Chief Justice says) upon what imaginable Account can any one think, that we should not be able to improve our Populoufness to our Wealth as well as they, if we had but their orderly Management? The great Difficulty lies in falling into a right Method of doing it, I mean, into a Method consistent with our present Circumstances and Constitution, and yet universal and adequate to the Evil. I do not pretend to the Wisdom of many Persons, who have already made Proposals on this Head. And I am persuaded, that if some of those Proposals had been well attended to, we should not at this Day have had a common Beggar in the Kingdom ; and

I believe, no Occasion for a Poor-Tax. I have met with three Schemes, which, tho' they vary in some Circumstances, yet agree in the main Principles, and seem to me to be very conducive to this End. I will lay the Substance of them before the Reader ; and, after offering some Remarks, will leave the Whole to be improved by every Man's Consideration ; hoping that it will be brought to Perfection by Time, and the Wisdom of the Legislature.

The first Scheme is that of the Lord Chief Justice *Hale*, who proposes :

That at some Quarter-Sessions the Justices of Peace shall set out and distribute the Parishes in each County into several Divisions, *viz.* one, two, three, four, five or six Parishes to a Division, according to their Greatness or Smallness : And in each Division there shall be a Common Work-house for the Use of it.

That at the same Sessions, the Churchwardens and Overseers deliver in their Poor-Rates, upon Oath. And that the Justices do assess three, four, or five yearly Pays, to be levied within the Time prefixed by them, for raising a Stock,

Stock, and building, or procuring a convenient Work-house to lodge it in, where the Poor shall be employed, and Children instructed to work.

That a Master be appointed by the said Justices, with a convenient Salary for each Work-house, to continue for three Years; and two Overseers, who shall deliver the Stock out to the Master, as there shall be Occasion; and shall receive from him the Proceed thereof, together with his Accounts, either Monthly or Quarterly.

That the Master and Overseers give in their Accounts yearly to the two next Justices, at Times by them notified to the Inhabitants of each Division; that they may except to such Accounts, if there be Cause.

That the Master and Overseers be incorporated, and capable to take Lands and Goods in Succession, for the Use of the Poor; for which they and their Successors shall be accountable to the Quarter-Sessions.

That they shall not grant such Lands for above a Year, and at an improved Rent.

That if any Person, able to work, and not able to maintain himself, shall refuse so to do, he may be forced, by Warrant of two Justices, by Imprisonment and Correction in the Work-house.

The same of such as shall imbezel or wilfully spoil their Work.

The second Scheme is that of Sir *Josiah Child*, which he proposes to be experimented, first only within the Weekly Bills of Mortality ; which he calls the Vitals of the Body-Politick ; and which being once made sound, the Cure of the rest will not be difficult. His Scheme is this :

That all Places within the Bills of Mortality be associated by Act of Parliament into one District, for Relief of the Poor.

That there be one Assembly of Men within the same intrusted with the Care of them, and to be incorporate.

That all Parish-Officers be subordinate to them in all Things relating to the Poor.

That

That they may assess and compel the Payment of as much Money in each Parish, as it paid to the Poor in any of the three Years preceding this Constitution, but not more.

That they have Authority to receive the charitable Benevolence of all Persons, every *Sunday*, in all Parish Churches ; and at all other Times and Places.

That they have Power to purchase Lands, erect and endow Work-houses, Hospitals, and Houses of Correction ; and exercise all other Powers relating to the Poor, that the Justices of Peace, in or out of Sessions, now have.

That they may send such Poor as they think convenient to the Plantations ; taking Security for their Maintenance during their Service, and their Freedom afterwards.

That they have Power to erect petty Banks and Lombards, for the Benefit of the Poor ; and to receive half what is given at the Doors of Play-houses, &c.

That

That it shall be Felony to misapply any Money collected for this Purpose.

That they be obliged to no Oaths or Tests to bar Nonconformists.

That they constantly wear some honourable Medal and Staff, to command Obedience from all Parish-Officers, where their Persons are not known.

That they admit into their Society all Persons who desire it, paying 100*l.* for the Use of the Poor at their Admission.

That, besides the Authority of the Justices of Peace, they have some less limited Powers given them, in the Punishment of their own and Parish-Officers, by pecuniary Mulcts for the Poores Benefit.

That they may set the Poor to work on whatsoever Manufacture they think fit.

That all Vacancies by their Deaths, be perpetually supplied by the Election of the Survivors.

That



That Seventy of them be chosen for *London* at a Common Hall of the Livery-Men by Ballot ; to which shall be added ten for the Borough of *Southwark*, and twenty for *Westminster*, chosen by the Justices of Peace in their Sessions.

The last Scheme I find in a Book intitl'd, *An Essay towards regulating the Trade, and employing the Poor of this Kingdom* ; published by *John Cary*, Esq ; in 1719, and dedicated to the present Earl of *Wilmington*, then Speaker of the House of Commons. It has this Advantage, that it comes recommended to us by Experience ; for it is formed on the Model of an Act of Parliament pass'd 7 and 8 of *W. 3.* by which a Corporation was established within the City of *Bristol* for the better employing and maintaining the Poor there, and all the Parish-Rates within the City were united for that Purpose. The Author, who seems to have been much concerned in projecting this Act of Parliament, and afterwards in putting it in Execution, gives it us at large in his Appendix, together with an Account of the Proceedings of the Corporation, which he laid before both Houses of Parliament about four Years after the passing the Act. In this, he says, the Success had then answered their Expectations ;  
much

much Money was given in a Year to the Corporation ; considerable Sums weekly earn'd by the Poor ; they were freed from Beggars ; the Old were well provided for ; the Children well lookt after, and the Boys and Girls educated to Sobriety, and to delight in Labour. And by his Essay, which was published about nineteen Years after, it appears, that they then continued in the same good State ; which makes him more than once express his Wishes, that what was done in the City of *Bristol*, might be carried on by the same Steps throughout the Kingdom ; and he subjoins such Methods as he thinks may be proper to that End. They are these :

That Power be given by Parliament to all Places, that are willing, to incorporate ; and to build, or otherwise to provide, Hospitals, Work-houses, and Houses of Correction : Which in Counties must be by uniting one or more Hundreds, whose Parishes must be comprehended in one Poor's Rate ; not equal on all, but to which each Parish shall be charged in proportion to what they paid before.

The Guardians of these Corporations to consist of all the Justices of Peace inhabiting within the Parishes united ; together

ther with a Number of Inhabitants chosen out of each Parish, in proportion to the Sum it pays. This Choice to be yearly, or once in two Years; when half of those first chosen must go out, and the Remainder to stay in to instruct those last chosen. The Electors to be Freeholders of *per Ann.*

The Guardians to have Power to chuse a Governor, Deputy-Governor, Treasurer, and Assistants, yearly; and to hold Courts; make By-Laws; appoint a Common-Seal; summon the Inhabitants before them; compel all Persons seeking for Relief to dwell in their Hospitals or Work-houses if they see fit; take in young People of both Sexes, and breed them to work; teach them to read and write; bind them Apprentices; provide for the Aged and Impotent; assist those whose Labours will not maintain their Charges; apprehend Vagrants, Rogues and Beggars, and set them to work; inflict reasonable Correction, where necessary; entertain proper Officers, and pay them out of the Stock. And they shall be obliged once in at least, to hold a General Court, where the Governor, Deputy-Governor, or one half of the As-

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sistants,

sistants, together with such a Number of the Guardians, shall be present.

The Court shall once in six Months agree and settle how much Money will be necessary for the six Months ensuing, and certify it to the Justices inhabiting within the Places united ; who shall proportion the same on e ch Parish, and grant Warrants to proper Persons to assess, and afterwards to collect and pay it to the Treasurer of the Corporation.

Each Corporation to be one Body-Politick in Law, capable to sue and to be sued, and to purchase and take Lands and Goods, for the Benefit of the Poor.

This is the Substance of the three Schemes I mentioned ; And it may be observed, that they all agree in these fundamental Points : I. That the Care of the Poor ought not to be left any longer to each Parish, but that every County should be divided into larger Districts for that Purpose. II. That in each District proper Buildings should be provided for the Poor, at the common Charge of that District. III. That the Poor-Rates of every Parish in each District should be united into one common Fund. IV. That in each District there be established a Corporation with  
perpetual

perpetual Succession, to whom the whole Care of the Poor shall be committed. V. That each Corporation shall be capable of taking Lands and Goods for the Benefit of the Poor.

None of these Authors have pretended to determine the Extent of these Districts ; which is best left to the Wisdom of Parliament. The Lord Chief Justice mentions not above six Parishes ; Mr. *Cary*, one or two Hundreds ; which in some Counties is a large, in others a very small Division ; and Sir *Josiah* comprehends in his the Cities of *London* and *Westminster*, the Borough of *Southwark*, and all Places within the Bills of Mortality, which, I believe, is equivalent to any four Counties in the Kingdom besides. But it is certain, that in what Manner soever these Districts are first set out, greater Regard is to be had to the Populousness and Wealth of the Place united, than to their Extent ; since some large Towns are as able to carry on such a Work as a small County. It may be affirmed in general, that the larger the Districts, the better, provided the Poor can be conveniently sent from any part of it to the Work-house ; for the Common Stock will be the larger, and, as Sir *Josiah* says, nothing less than a Provincial Purse will be sufficient for such a Work. Many Attempts, he says,

to his Knowledge, have been made by single Parishes, but all that ever he heard of proved ineffectual, except the single Instance of the Town of *Dorchester*; and that was not a general Provision, for they only entertained their own Poor, and whipped away all others. Single Parishes (as is before observed) are not able, at least not willing, to provide a Stock for their Employment, nor to pay proper Officers to take Care of them; and, as the Overseers are annually changed, if any thing is well begun by one, it is frustrated by the Negligence or Ignorance of his Successors. Whereas in these larger Districts we may promise ourselves a wiser and more regular Management, from the united Counsels of the most considerable Persons in them, who will always compose the Corporation; and from their constant Inspection into the Conduct of their Officers, to whom the immediate Care of the Poor is committed. The Expence too will naturally be less; for when great Numbers of Poor are together in one Place, their Provisions, as well as the Materials for their Work, will be bought in larger Quantities together, and consequently cheaper; one Common Kitchen, one Common Hall will serve, fewer Fires, and fewer Officers; all which, and many more Articles, must necessarily be multiplied, if they are dispersed into many different Habitations.

And

And as the Expence of their Maintenance will be less, the Product of their Labour will be greater ; since several Manufactures cannot be carried on to Advantage, but by great Numbers of Hands together in one Place.

As to the Buildings in each District, I think there should be an Hospital, a House of Correction, and a Work-house. The Chief Justice, who aims principally at the Employment of the Poor, mentions only a Work-house : But as this Provision is intended to be general, 'tis as necessary to have an Hospital for the Impotent ; and as to those who are able to labour, 'tis reasonable to distinguish them according to their Merit, and separate the Innocent from the Guilty ; therefore there should be a House of Correction, where Criminals should be confined to hard Labour, as well as a Work-house for the rest of the Poor, who are honest and industrious. These three Buildings, if not contiguous, should not be far distant, that Persons may commodiously be removed from one to the other, as Occasion requires. And they should be obliged to receive all who come or are sent from any Part of the District.

Into the Hospital should be received all Persons impotent, either by Age or Casualty. And if any such come for Relief, who have any thing of their own, or any Allowance from any other Alms-house, their Income shall go to the Hospital, during their Abode in it. Into the Hospital too should be received all Bastard and Foundling Children; which would prevent Abortions and unnatural Murders; and all Children of poor Persons, who are willing to place them there; which would be a great Relief to many large Families. Here they should be taken Care of and instructed, till old enough to be removed into the Work-house and employed there. And they should continue under the Government of the Corporation till they came of Age; during which Time they might either continue to employ them in the Work-house, bind them Apprentices to Husbandry, Trade, or Navigation, or place them out in Services; as they should judge most convenient.

In the House of Correction should be kept all Criminals sentenced to Imprisonment by Law. And it would be well to change the Sentence of the Law in Robbery, and other mixed Larcenies, from Death to Imprisonment



ment for Life in these Houses. Felons within the Benefit of Clergy might be confined here for seven Years ; those guilty of Petty Larceny for a Twelve-month ; which would be more effectual to reform them than either Burning in the Hand or Whipping, and at the same time make them useful to the Publick. And a Power might be given to the Corporation, to cause still such of them to be transported to the Plantations as they should judge proper. Hither also should be sent all Parents of Bastard Children for a Year, unless they paid such a Sum to the Corporation ; which would occasion no Variation in the Law, since they are at present liable to Imprisonment in the House of Correction, if they cannot indemnify the Parish where the Child is born. Hither are to be sent all Rogues, Vagabonds, and Beggars ; all disorderly Servants and Apprentices ; all Persons of no visible Estate or Employment, who cannot give Security for their Behaviour ; and all other idle and disorderly Persons, who are at present liable to be sent to the House of Correction : And it should be more particularly defined, who should be deemed an idle or disorderly Person ; since, as the Lord Chief Justice says, that Description is too uncertain, and leaves the Justices of Peace too great or too little Power. Hither  
too

too should be sent all Persons committed for Offences, for any Time, definite or indefinite, without Bail or Mainprize. These are the several Persons to be confined in the House of Correction, where they should be employed in the hardest Sorts of Labour. They should be maintained by their own Labour; and if they earned more than their Maintenance, the Overplus should go into the publick Stock. If any should be rich enough to live without Labour, yet they should not be exempted from it; unless, besides paying for their own Maintenance, they likewise paid a weekly Sum to the Treasurer of the Corporation for such Exemption. Nor should any be discharged on a Pardon from the Crown, till they had paid a certain Sum to the same Officer.

The third Building in each District is the Work-house, a Place where all the honest and industrious Poor are to find Employment. Of these there will be two Classes: The first will consist of such poor Infants, as being left to the Care of the Corporation, are to continue under it till they come of Age. As the Corporation must be at the Charge of their Maintenance and Education, it is reasonable they should be entitled to all the Profit of their Labour during their Continuance

nuance in the Work-house. These young Persons should, at set Hours, be taught to Write and Cast Accompts ; and some of the most promising Boys should be instructed in Navigation: By which Means, on any publick Emergence, a considerable Body of young, able-bodied, and well-instructed Seamen might be drawn out of the several Work-houses, who being dispersed in the Fleet among Sailors of more Experience, would prove no small Addition to the Naval Strength of the Kingdom. The second Class of People in each Work-house will consist of all such Persons, of what Age, Sex, or Condition soever, as come thither from any Part of the District for Employment. These are all in general to be received, and set to work on such Things as they are best able to perform ; and they are to receive reasonable Wages and Allowance from the Corporation, in proportion to their Work. As they should have Liberty to come into the Work-house when they please, they should have the like Liberty to depart : But during their stay they should be subject to the Rules of the House : And if any refuse to work, or submit to Orders, they should immediately be removed into the House of Correction. The Corporation should not be obliged to employ any, who should refuse to be employed

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ployed in the Work-house ; but yet should have a Liberty (where they saw it convenient) to relieve or employ a poor Family, and suffer them to reside in any other Part of the District.

After all I have said, I foresee many Questions will be asked, and many Objections started. It may be asked first of all, What all the Poor in these Houses are to be employed about ? As Sir *Josiah* says, that Question will be best answered by the Corporation themselves, when they have met and consulted together ; who cannot be presumed deficient of Invention to set all the Poor to work ; when they may have such admirable Precedents from the Practice of *Holland* and our own Hospitals : And he says, the wisest Man living solitarily cannot propose or imagine such excellent Methods, as will be invented by their united Wisdom.

Another Question may be, What sort of Buildings these are to be, and what the Expence of erecting them ? I answer, they should be large, in proportion to the District ; commodious, but destitute of all Ornament, to avoid Expence. And it may be convenient for the Parliament to limit the first Expence

not

to exceed a certain Sum, as I find was done  
the Case of *Bristol*.

Again it may be asked, How is Money  
be raised to build these Houses, and to  
provide a Stock for employing the Poor? I  
answer, the first and most natural Method  
that occurs is, to do it out of the Poor's  
rate. But if it shall be thought too great  
burthen to do it at once, Part of that Rate  
could be annually applied to that Use till the  
whole can be conveniently compleated,  
and the Work may be promoted by publick  
collections, as it certainly would be by pri-  
vate Benefactions: Or if it should be judg-  
ed necessary to expedite it, the Parliament  
might impose some easy Tax on the People.  
The anonymous Author I before cited pro-  
poses some for this Purpose, to which, I  
think, there lies no Objection. One is a  
sum of Money to be paid by all unmarried  
men, according to their Rank and Estate;  
which is a wise Tax; for if Numbers of  
people are the Strength and Wealth of a  
Nation, and they are to be increased by  
marriage, Celibacy ought, in all good Po-  
lity, to be discouraged. Another is, a Sum  
of Money to be paid by all Persons, on their  
Promotion to any Dignity, or Admission into  
any Office, Ecclesiastical, Civil, or Military;

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which

which is a very reasonable Tax, because it will fall on the Persons best able to bear it.

Another Question may be, After these publick Buildings are erected, what shall become of the Hospitals, Alms-houses, and Work-houses before in Being? I answer; As to the Hospitals and Alms-houses, they should continue in the same State: But if any Person belonging to them should, for Want of a better Maintenance, be removed to the Hospital of the District, his Allowance (as I said before) should be paid to that Hospital during his Continuance in it. And as to the Work-houses, they might be let at the most improved Rent; and the Rent annually applied by the Parishes to which they belong, either in Aid of their Poor-Tax, the Repairs of their Church or Highways, as they themselves like best.

I come now to the essential Point, in which these Authors agree, and which every body must allow to be necessary to the carrying on of this Scheme; that is, the uniting the Poor's Rates of every Parish in the District into one common Fund. When this is done, I think the Corporation should yearly (if not oftener) settle the whole Sum

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to be raised for the Poor, and allot what Proportion of it shall be paid by each Parish ; which should be assessed and collected by the Overseers of the Parish, and be paid by them to the Treasurer of the Corporation. Sir *Josiah* and Mr. *Cary* think, that this Money should not be raised by an equal Rate throughout the District, but should be charged on each Parish in proportion to what they paid before : But I cannot agree with them in Opinion, both as I love Equality of Taxes in general, and as I see no good Reason why this should not be equal : Their Reason is, because all Parishes do not receive an equal Advantage from this Scheme. They do not indeed at present, but no Man can say that they will not ; for as the State of the Poor is ever fluctuating, the Parish that is now least burthened with them, has its Chance hereafter to be most so. And this Equality imposes no new Burthen upon them, but is agreeable to the Intention of the Law at present ; for as the Law now stands, if any Parish is over-burthened, two Justices of Peace may oblige any other Parish in the same Hundred, and the Quarter Sessions any other Parish in the same County, to contribute to their Assistance. I see as little Reason too for another Rule laid down by these Authors ; which is, to restrain the Corporation from raising

raising more in a Year in any Parish, than it paid in any one of the three Years before this Scheme took place: For why should not more be raised, if the Necessities of the Poor require it? Have not the Overseers at present a Power in that Case to raise more? And why should the Corporation be more limited than the Overseers are? Besides, this Caution is very unnecessary; for I am fully persuaded, that the Poor's Rates would not increase, but rather think they would gradually abate, and at last entirely cease. And there is more Reason to expect, that from numerous Benefactions, and from the Profit of the Labour of the Poor, in Process of Time, the Corporation would be able not only to provide for them, but would have a Surplus of Money to apply yearly to the Repairs of Churches and Highways, the Improvement of Rivers and Havens, and other Works of a publick Nature, within their respective Districts.

The next Article is, the Corporation to be established in each District, to which the Care of the Poor is always to belong, and which must therefore be of perpetual Continuance. And here we are to consider, of what Persons it is to be constituted, and in what Manner; then, how their Succession is to be maintained;



tained; and lastly, with what Powers they are to be invested.

Sir *Josiah* proposes, that his Corporation should consist of Persons chosen by the Liverymen of the City of *London*, and by the Justices of Peace for the other Parts of his District: But as his Scheme is calculated only for the Bills of Mortality, it can be no Direction for the rest of the Kingdom. The Lord Chief Justice proposes, that a Master and two Overseers for every Work-house should compose the Corporation, and that they should be appointed by the Quarter Sessions. But I like better Mr. *Cary's* Proposal, that it should consist of the Justices of Peace within the District, and of a certain Number of Persons elected by each Parish, in proportion to the Sum that it pays, according to the Plan of that of *Bristol*: For this will preserve a just Balance between the Nomination of the Crown, and the Choice of the People; and probably will please them best, which is a Point much to be consulted; for on their good Opinion of the Managers, will depend their Benefactions to the Corporation. And considerable Benefactors might be admitted Members. I agree with Sir *Josiah*, that they should be subject to no Oaths or Tests; and I think, if any Qualification is required,

required, it should be only that of having such an Estate. Mr. *Cary* would have them chosen by Freeholders; I rather think they should be chosen by the Occupiers of the Land; they are the Voters in all Parish Business; and it is reasonable they should be so, since out of their Pockets the Rates do issue.

To preserve the Succession in the Corporation, Sir *Josiah* proposes, that the Survivors should fill up the Places of those that die; which I can by no Means approve of, no more than I do his chusing them for Life: For this tends to establish a Body of Men too absolute and independent: For though 'tis necessary the Corporation should continue for ever, 'tis as convenient, that the Individuals should sometimes be changed. Therefore I think the Practice at *Bristol* is to be followed, that every two Years half the Persons elected should go out, and others be chosen in their room, unless any of them were re-elected. Or if any die, the Parish for which they served should proceed to a new Choice.

As to the Powers of the Corporation, I think they should be invested with all the Powers relating to the Poor, that the Law at present

present lodges with the Justices of Peace and Overseers; and that the Overseers should have nothing to do for the future, but to assess, collect, and pay in the Rates charged on each Parish; and to convey impotent and indigent Persons to the Hospital and Workhouse. The Corporation should likewise have Power to make By-Laws for the Regulation of their own Proceedings; and a Power to nominate and pay, displace and fine their own Officers.

The Capacity of the Corporation to purchase and take Lands and personal Estates for the Use of the Poor, is the last thing mentioned by all these Authors, and indeed is necessary to add Life and Vigour to their whole Proceedings. They should have Liberty to purchase Lands without Licence in Mortmain, and without Limitation as to the Value; for it will be time enough to limit them when their Estates are full grown. Nor do I dislike Sir *Josiah's* Thought, of giving them Authority to make Collections in Churches, and other Places of Religious Worship within their Districts. And it should be Felony for any to conceal or misapply the Treasure of the Corporation.

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I have now laid before the Reader the Substance of the three Schemes above-mentioned, with such Remarks of my own, as I thought necessary to explain, improve them, or to point out their Defects. I can think but of one thing more, which I wish might be added ; that is, that Commissions should be yearly issued, under the Great Seal, to Persons of the first Rank and Eminence throughout the Kingdom, to visit and inspect all the Houses in the several Districts ; and to report the State of the Poor to the next Session of Parliament ; that so any Defect, that should be discovered, might soon be supplied, or any Abuse meet with a speedy Reformation. These Persons, when in Execution of their Office, should be distinguished by some honourable Ensigns of Authority ; and, during the Continuance of their Commission, should have Precedence of all Persons, except the Great Officers of the State : For it is just, that they, who humble themselves to this good Office, should be exalted in this World, as they certainly will be in the next.

The Advantages to be expected by such a Regulation are more than at first can easily be conceived. I have mentioned many in  
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the Course of this Treatise ; and am so pleased with the Prospect, that I beg Leave again to enumerate some of the most obvious.

The Poor in general will be more comfortably provided for ; and there will be an End of all the expensive and vexatious Suits about their Settlements.

The Charge of their Maintenance will be less ; the Poor's Rates will abate ; and, in Process of Time, will probably cease.

The Nation will be freed from Vagrants and Beggars ; and the Number of Criminals will decrease.

The Lives of many Children will be saved ; which are now murdered or lost for want of due Care.

The Number of the People will be increased by Marriage ; which is now scandalously discouraged by Parishes to save Expence ; and from which the Poor themselves are sometimes frightened by the Prospect of a large Family.

Trade, Navigation, and Husbandry, will be advanced ; and the Wealth of the Nation increased.

And, what is most to be considered, the Morals of the Poor will be improved by a sober Education, and an industrious Habit ; which will render this and future Generations wiser and better.

I have now gone through my Subject, which, as Sir *Josiah* says, is a calm one, and thwarts no Interest but that of the Common Enemy of Mankind. I have reminded the World of the Sentiments of others upon it ; and have delivered my own with all Freedom. I mean not to dictate, but to propose ; hoping that my Proposals may excite Persons of greater Abilities to employ their Thoughts the same Way. A better Provision for the Poor is so much wanted, that I earnestly wish it may be no longer delayed. It is a Work of the greatest Piety towards God, of the greatest Humanity to our own Species, of the greatest Utility to the Publick : None will reflect more Glory to his Majesty's Reign ; none can be more worthy of the Care of Parliament ; and (to use the last cited Author's Expression) a whole Session could not be better employed

employed than in this singular Concern. It is to be hoped, that all Sects and Denominations of Men will unite in such an Act of Charity ; which is of more Importance than our Party-disputes ; and may cover a Multitude of Vices and Follies, that flow from that bitter Fountain. I have no greater Ambition, than to be an Instrument in it ; and should think myself happy, if what I have advanced may contribute to that End. All that I have said proceeded from the sincerest Intentions. The Whole seems rational to myself ; I know not how it it may appear to others ; but sure I am, that, if it does not meet with all Men's Approbation, it will deserve no Man's Censure.







# A P P E N D I X.

*Veneris 2<sup>o</sup> Die Maij.*

*Anno 8 Georgii 2 Regis 1735.*

**M**R. *Hay* reported from the Committee appointed to consider the Laws in being relating to the Maintenance and Settlement of the Poor, and to consider what further Provisions may be necessary for their better Relief and Amendment; that the Committee had considered those Laws, and had come to several Resolutions, which they had directed him to report to the House; and he read the Report in his Place, and afterwards delivered it in at the Clerk's Table, where the same was read, and the Resolutions of the Committee are as followeth, *viz.*

*Resolved,*

1. That it is the Opinion of this Committee, that the Laws in being relating to the Maintenance of the Poor of this Kingdom are defective; and notwithstanding they impose heavy Burthens on Parishes, yet the Poor, in most of them, are ill taken care of.

*Resolved,*

*Resolved,*

2. That it is the Opinion of this Committee, that the Laws relating to the Settlement of the Poor, and concerning Vagrants, are very difficult to be executed, and chargeable in their Execution, vexatious to the Poor, and of little Advantage to the Publick; and ineffectual to promote the good Ends for which they were intended.

*Resolved,*

3. That it is the Opinion of this Committee, that it is necessary for the better Relief and Employment of the Poor, that a publick Work-house or Work-houses, Hospital or Hospitals, House or Houses of Correction, be established in proper Places, and under proper Regulations, in each County.

*Resolved,*

4. That it is the Opinion of this Committee, that in such Work-house or Work-houses, all poor Persons able to labour be set to work, who shall either be sent thither, or come voluntarily for Employment.

*Resolved,*

5. That it is the Opinion of this Committee, that in such Hospital or Hospitals, Foundlings and other poor Children not having

ing Parents able to provide for them, be taken Care of; as also, all poor Persons that are impotent or infirm.

*Resolved,*

6. That it is the Opinion of this Committee, that in such House or Houses of Correction, all idle and disorderly Persons, Vagrants, and such other Criminals, as shall be thought proper, be confin'd to hard Labour.

*Resolved,*

7. That it is the Opinion of this Committee, that towards the Charge of such Work-houses, Hospitals, and Houses of Correction, each Parish be assessed or rated; and that proper Persons be empowered to receive the Money so to be assessed or rated, when collected; and also all voluntary Contributions or Collections, either given or made for such Purposes.

*Resolved,*

8. That it is the Opinion of this Committee, that such Work-houses, Hospitals, and Houses of Correction, be under the Management of proper Persons, regard being had to such as shall be Benefactors to so good a Work.

*Resolved,*

9. That it is the Opinion of this Committee, that such Persons as shall be appointed for the Management of such Work-houses, Hospitals, and Houses of Correction, be one Body Politick in Law, capable to sue and be sued, and of taking and receiving charitable Contributions and Benefactions for the use of the same.

*Resolved,*

10. That it is the Opinion of this Committee, that for the better understanding and rendering more effectual the Laws relating to the Maintenance and Settlement of the Poor, it is very expedient, that they be reduced into one Act of Parliament.

*Ordered,*

That the said Report be taken into farther Consideration upon *Wednesday* Morning next.

This was done accordingly, and the House agreed to all the Resolutions; to the 1st, 2d, 5th, and 8th, *nemine contradicente*; to the 3d, 4th, 6th, 7th, and last, without Amendment, and to the 9th, inserting after the Word (*Benefactions*) these Words (*in Money,*) and adding at the End these Words  
(*with*

(*with proper Restrictions as to the Powers of such Bodies Politick.*)

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*Mercurii 3° Die Martii 1735.*

*Ordered,*

That leave be given to bring in a Bill for the better Relief and Employment of the Poor, and for the more effectual punishing Rogues and Vagabonds; and for reducing the Laws relating to the Poor, and to Rogues and Vagabonds, into one Law; and that Mr. *Hay*, Mr. *Hooper*, and Mr. *Pollen*, do prepare and bring in the same.

*Jovis 11° Die Martii 1735.*

Mr. *Hay* presented the Bill to the House, when it was read a first Time, and ordered to be printed.

*Mercurii 7° Die Aprilis 1736.*

It was read a second time, and committed to a Committee of the whole House.

*Mercurii 19° Die Maii 1736.*

It was reported, and the Report ordered to lie upon the Table.

## The Substance of the BILL.

**E**ACH County to be laid out into one or more Districts by the Quarter-Sessions.

Twelve Persons residing in each District of a certain Estate in Land to be Guardians of the District. Lists of the Persons so qualified, residing within the District, to be returned to the Quarter-Sessions, like those of Persons qualified to serve on Juries; and the Names of the Guardians to be drawn like those of Jury-men.

Six annually to go out of Office, the first Year by Lot, and ever after the six who had been longest in Office, and six new ones to be chosen in the same manner.

Benefactors to be Guardians for a time, in proportion to the Sum given.

The Guardians to be a Corporation capable of taking Benefactions of Goods and Chattles, (but not of Lands) for the Use of the Poor; and to make By-Laws and Rules (to be approved by the Justices of Assize) for their better Government.

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To appoint a Treasurer removeable at Pleasure, residing and having an Estate in the District, and giving Security.

Guardians, with Consent of the Quarter-Sessions, to displace any Guardian, for a reasonable Cause.

To purchase Lands in Fee, near the middle of the District, with a certain Number of Acres.

To build Houses on them for the Use of the Poor ; and within six Months after they are finished, to furnish them, and provide a Stock to set the Poor to work ; and to carry on any Trade or Business there ; and to take the Benefit of their Labour for the Use of the Work-house.

The Land to be purchased and Buildings erected by Money to be given by Parliament.

The Houses to be furnished, and the Stock provided, by Money given by charitable Persons ; and what more is wanting, by a Rate, not to exceed half of what had been raised in any Parish or Place, in any one of the three Years immediately preceding.

Guardians

Guardians to meet at the Work-house the first *Thursday* in every Month at a certain Hour, under a Penalty; six to constitute a *Quorum*; and to meet at other times on a Summons; with Power to cause Overseers and others to appear.

Overseers always to attend the first *Thursday* in *June, September, December* and *March*; when the Guardians are to ascertain the Sum the Overseers are to raise for the ensuing Quarter for each Parish or Place, which (after the Houses are finished and furnished) shall be in Proportion to the Numbers sent from such Parish or Place.

On the last *Thursday* in *August*, Justices of Peace to meet in the Work-house to nominate new Overseers, with the same Power of levying the Quarterly Sums, as is given by 43 *Eliz.* and the old Overseers then to deliver up their Accounts.

Charities given to the Poor of any Parishes (and not otherwise appropriated) and the Profits arising from the Sale, or letting of their present Work-houses, to go in Aid of their Rates.

Overseers to set up a Box to receive Charities, in all Places of Divine Worship, to be kept under two different Locks and Keys;  
and



and to be publickly opened once a Quarter, and the Money found in it to be paid by the Overseers to the Treasurer.

All other Charities for the Use of the Poor of any District, and Monies arising from the Labour in the Work-house, and Fines or Forfeitures for their Use, shall be paid to the Guardians, and by them to the Treasurer, within a Month after they receive them.

Treasurer to issue no Money without Order of Guardians ; and to account every Quarter ; or oftener, if required.

All other Officers and Servants, at all times when required, to account, to two or more Guardians, for every thing that shall come to their Hands, or be under their Care.

Two Justices, or Quarter-Sessions, may commit any Guardian, Treasurer, Officer, Servant, or Overseer, refusing to account. May levy double the Sum, which they shall, on their accounting, find to be misapplied. May fine an Overseer 20 s. for not attending the last *Thursday* in *August*, or being otherwise negligent in his Office. And Persons fraudulently imbezzling the Goods of the Work-house, to be guilty of Felony.

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Any Sum given in Charity, or arising from the Labour of the Poor, or from Fines and Forfeitures, if under 100 *l.* the Guardians shall apply to the Expence of the next Quarter ; if above 100 *l.* they shall place it out at Interest, on such Government Securities as the next Quarter-Sessions shall direct, and apply only the Interest.

After the Work-house of any District is finished and furnished, Guardians to give Notice to the Overseers to bring in the Poor of their respective Parishes, which they shall do within a Month ; and for ever after to convey thither all impotent Poor, Bastards and Foundling Children, wanting Relief ; as also all the Children above the Number of three, of such married Persons who desire it, and will make Oath that they are not worth above five Pounds, besides their Goods and Apparel ; and never, for the future, shall relieve any Person, except on sudden and emergent Occasion, as pestilential Distemper, Sickneſs, Accident or Infirmary, which might endanger the Health or Life of the Person in removing to the Work-house ; and during the Continuance of such Occasions only ; of which the Overseer shall within two Days give Notice to some Justice of Peace, who

who shall order such Relief as is necessary, and settle and allow the Expence thereof, which shall be paid or allowed by the Treasurer to the Overseer, producing such Order.

Two Justices, on Complaint, may examine and finally determine, if a Person sent to the Work-house was legally settled in the Parish, from which he was sent; and if he was not, shall order the Parish to which he belonged to pay 40 s. to the Work-house.

Every Person, for the future, to be deemed legally settled in any Place where he continued a Year without being chargeable; and if he had gained no such Settlement, then at the Place of his Birth; and if not born in the Kingdom, then where he should happen to want Relief.

Justices at Quarter-Sessions to settle Rates and Allowances by the Mile, for conveying the Poor to the Work-house, which they are to order the Treasurer to pay or allow to the Overseers.

Two Justices may order the Goods and Rents of Persons to be seized, who are relieved in a Work-house, or who shall run away and leave Wife, or Child, or Bastard Child, to be

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there relieved, and make such Allowance out of them as they think fit, which shall go in aid of the next Quarterly Payment of the Place aggrieved.

The same Power as at present in the Quarter-Sessions, to oblige Father and Mother, Grandfather and Grandmother, Children and Grandchildren, of poor Persons, to relieve them.

Guardians may keep Children in the Work-house to the Age of 21, or with Consent of two Justices may bind them Apprentices to any Persons willing to take them ; or may compel such Persons to take them Apprentices in Agriculture or the Sea Service, as are liable so to do at present, under the same Penalties as at present. But none to be compelled to take them under ten Years of Age.

The present Law relating to Apprentices in every other respect to continue in Force.

As also the present Law relating to Bastardy.

Guardians may give reasonable Correction to the Poor in the Work-house, not conforming to Rules, or misbehaving themselves ;  
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may fine their Officers or Servants for evil entreating them, in a Sum not exceeding 40 s. to be detained out of their Wages, or levied by Distress, if confirmed by the next Quarter-Sessions; who are to determine all Differences between them and the Guardians concerning Wages.

All Fines and Forfeitures, given to the Use of the Poor by any Law in Being, to go to the Use of the Work-house of the District, where the Offence is committed: To be paid to the Guardians; and by them to the Treasurer.

Head Officers and Justices in Cities and Corporations to have Authority to do any thing in Execution of the Act within their Jurisdiction, as any two Justices may within the County.

The Act not to extend to Work-houses established in any Cities or Towns by particular Acts of Parliament: But such Cities and Towns shall be deemed distinct Districts by themselves.

Lord Chancellor may at all times appoint Commissioners to visit any of the Work-houses, to alter any of their By-Laws and Orders; and to make New (to be approved by the

Judges of Assize;) to enquire into the Conduct of the Guardians and others; and to punish them by Fine or Removal; and to inquire into Charities given to the Use of the Poor; and how they have been applied.

The Act not to give the Guardians, or any other Persons, Power, over any Alms-house, Hospital, or other charitable Gift, already settled and particularly appropriated.

The remaining Part of the Bill concerns Vagrants and Houses of Correction, and differs from the present Vagrant Act only in these Particulars. The Lord Chancellor was to appoint Commissioners to inspect the Condition of the Houses of Correction, who might order the Old Ones to be altered, New Ones to be erected, fitted up, and furnished, in what manner they thought proper; which the Justices of Peace were to execute in a certain Time, under a Penalty. Benefactions were to be applied, in the first place, towards the Expence; and what Sums more were wanted, were to be raised by a County Rate.

Twenty Shillings was allowed for apprehending a Vagrant, who was to be committed till the next Quarter-Sessions; where, if  
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he was adjudged to be a Rogue, he was to be confined to hard Labour for a Year ; and if an incorrigible Rogue, for seven Years, or to be transported for that Time. And an incorrigible Rogue offending a second time, was to be confined or transported for Life.

Vagrants under fourteen were to be sent to the Work-house of the District, there to be provided for like other Poor; and the Expence to be charg'd to the Place where they last begged, or misordered themselves, and passed unapprehended, which was to be the last legal Settlement of every Vagrant, to which the Sessions, (after Punishment) if they thought proper, might order the Master of the House of Correction, at once to convey him, without the Trouble of passing him through other Hands.

In the last Clause all the Laws relating to the Poor were particularly enumerated, which were to be repealed,

*Luncæ*

*Lunæ 10° Die Decembris 1747.*

*Ordered,*

That leave be given to bring in a Bill for the better Relief of the Poor by voluntary Charities; and that Mr. *Hay*, Sir *Francis Dashwood*, Lieutenant General *Onslow*, and Mr. *Trevor*, do prepare and bring in the same.

*Martis 15° Die Decembris 1747.*

Mr. *Hay* presented it to the House; it was read, and ordered to be printed.

*Mercurii 3° Die Februarii 1747.*

*Resolved,* That the Bill do pass.

*Ordered,*

That Mr. *Hay* do carry the Bill to the Lords, and desire their Concurrence.

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## T H E

## P R E A M B L E

## A N D

## Principal Parts of the BILL.

**W**HEREAS several Hospitals and Infirmaries have of late been established and maintained by voluntary Charities, to the great Comfort of the Poor: And whereas such Charities would probably become more general, were Men of great Station, Fortune, and Credit, appointed to receive the Contributions of well-disposed Persons, and to see the same duly applied, by which many of the Poor might be better taken care of, and the Rates for their Maintenance in Time be lessened; be it therefore enacted, That  
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in every County within that Part of *Great Britain* called *England*, and Dominion of *Wales*, every Peer and Lord of Parliament residing within the County, the Lord Lieutenant of the County for the time being residing in the County, the *Custos Rotulorum* for the time being likewise residing in the County, the High Sheriff for the time being, the Knight or Knights of the Shire for the time being, every Bishop, Dean, and Archdeacon for the time being, having Jurisdiction in the County, or any Part thereof, and every Person residing in the County, possessed of Land lying therein, either Freehold or Copyhold, for his own Life, or some greater Estate, of the yearly Value of Three hundred Pounds, registering his Name at some General Quarter Session of the Peace for the said County, shall be a Corporation by the Name of *The Guardians of the Poor* of the said County ; and by that Name shall be capable to sue and be sued in all Courts of Law and Equity, and of taking Money, Goods, or Chattles of any Person or Persons whatsoever ; and shall have Power to relieve or employ any poor Persons who want Relief, of any Age or Sex which shall belong to, or shall be found within the said County, for such Time, and in such Place, and in such Manner, as to them shall seem meet ; and they shall have a common Seal, with such

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Device as they, from time to time, shall appoint ; and they are hereby impowered to build, purchase, or hire such Houses for the Use of the Poor, as they shall think proper, with Land not exceeding Forty Acres to each of the said Houses ; and such poor Persons as they shall relieve or employ in the said House, they may discharge from thence at their Pleasure, and order them to be corrected during their Stay there ; and may appoint such Officers and Servants under them as they shall think proper ; and may make By-laws, Rules, and Orders under their Seal, and alter them at Pleasure.

And be it further enacted, That every Person who gives to the said Guardians One hundred Pounds for the Use of the Poor, shall be a Guardian himself, from the Time it is received, for a Year ensuing ; if Two hundred Pounds, for Two Years ; and so on in Proportion ; and during his Time of so being a Guardian, shall have equal Power and Authority with the Guardians above-mentioned.

And be it further enacted, That any Five of the Guardians shall be a *Quorum*, to do any Act or Thing which the Guardians by this Act are impowered to do.

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And be it further enacted, That the Guardians shall deliver in the State of their Account, under their Seal, at every General Quarter Session next after *Easter* and *Michaelmas*, there to be filed and kept on Record, but shall not be answerable for the same, unless any Five Guardians complain, by Petition to the Judges of Assize in their Circuits, of any Fraud or Injustice in any of the other Guardians ; in which Case they shall examine summarily into the Complaint ; and if the said Judges see Cause, shall declare and adjudge such Guardian or Guardians incapable of acting in that Capacity for the future, and impose a Fine on him or them not less than Ten Pounds, or more than Fifty Pounds, which shall be forthwith paid to the other Guardians for the Use of the Poor ; and if any such Complaint shall appear to the said Judges to be frivolous or vexatious, they may impose a Fine on the Complainants, not less than Ten Pounds, or more than Fifty Pounds, to be paid and applied for the Use of the Poor, in Manner aforesaid.

F I N I S.



